



March 24, 1999

Mr. James R. Schnurr
Assistant City Attorney
Criminal Law and Police Division
City of Dallas
2014 Main Street, Room 206
Dallas, Texas 75201

OR99-0806

Dear Mr. Schnurr:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 123019.

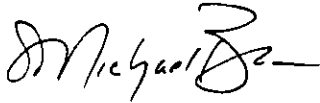
The Dallas Police Department (the "department") received a request for all criminal records of three named individuals. You have supplied the responsive information, contending that it is excepted from disclosure by section 552.101 of the Government Code. We have considered the exception you claim and have reviewed the documents at issue.

Section 552.101 of the Government Code excepts from disclosure "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." Where an individual's criminal history information has been compiled by a governmental entity, the information takes on a character that implicates the individual's right to privacy. *See United States Dep't of Justice v. Reporters Comm. for Freedom of the Press*, 489 U.S. 749 (1989) (concluding that federal regulations which limit access to criminal history record information that states obtain from the federal government or other states recognize privacy interest in such information). Similarly, open records decisions issued by this office acknowledge this privacy interest. *See Open Records Decision Nos. 616 (1993), 565 (1990)*. We conclude that the responsive information is confidential and may not be disclosed.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts

presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Burns", with a stylized flourish at the end.

Michael J. Burns
Assistant Attorney General
Open Records Division

MJB/ch

Ref:: ID# 123019

Enclosures: Submitted documents

cc: Ms. Brooke Gilliam
302 N. Bonham Drive
Allen, Texas 75013
(w/o enclosures)